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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DAVID LEE NUSBAUM, } Case No. CV 06-5061-DSF (OP)
Petitioner, } J U D G M E N T
vs. }
J. F. SALAZAR, Warden, }
Respondent. }

Pursuant to the Order Adopting Findings, Conclusions, and Recommendations of the United States Magistrate Judge,

IT IS ORDERED that Judgment be entered: (1) approving and adopting this Second Amended Report and Recommendation; (2) denying Respondent's Motion to Dismiss as moot; and (3) directing that Judgment be entered denying the Petition and dismissing this action with prejudice.

DATED: 12/22/08

HONORABLE DALE S. FISCHER
United States District Judge

Prepared by:

HONORABLE OSWALD PARADA
United States Magistrate Judge